



Docket No.: 57454-974

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Yukio FUJII	:	Confirmation Number: 1761
	:	
Serial No.: 10/653,199	:	Group Art Unit: 3679
	:	
Filed: September 03, 2003	:	Examiner: Dunwoody, Aaron M.
	:	
For:	:	ROLLING BEARING RING OF CONSTANT VELOCITY JOINT, AND SUPPORT COMPONENT FOR ROLLING AND SWINGING MOTION

REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are submitted in response to the Office Action dated June 1, 2004.

REMARKS

This Request for Reconsideration is being filed in response to the Office Action dated June 1, 2004. For the following reasons this application should be allowed and the case passed to issue.

Claims 1-3 are pending in this application. Claims 1-3 are rejected.

Inventor Name Change

The name of the inventor of the instant application, Yukio Fujii, has changed to Yukio Matsubara as the result of marriage. A petition under 37 C.F.R. § 1.182 has been concurrently filed with this response requesting that the inventor's name be changed to Yukio Matsubara. In addition,

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a Substitute Declaration executed by Yukio Matsubara has also been concurrently filed, in accordance with the recommendation of Mr. Jay Gandhi of the Office of Petitions.

Claim Rejections Under 35 U. S. C. § 102

Claims 1-3 are rejected under 35 U. S. C. 102(e) as being clearly anticipated by Maeda et al. (U.S. Pat. No. 6,666,931). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested.

The instant inventor, Yukio Matsubara, is the coinventor of U. S. Pat. No. 6,666,931 (the '931 patent), along with Kikuo Maeda. Yukio Matsubara and Kikuo Maeda have both provided attached declarations under 37 C.F.R. § 1.132, setting forth that Yukio Matsubara is the sole inventor of the subject matter of instant claims 1-3. Because Yukio Matsubara is the sole inventor of the claimed subject matter and the instant application was copending with the '931 patent, the '931 patent is not prior art under 35 U.S.C. § 102 against the instant application. Applicant submits that the section 102 rejection of claims 1-3 should be withdrawn.

In view of the above amendments and remarks, Applicant submits that this application should be allowed and the case should be passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

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extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Bernard P. Codd". The signature is fluid and cursive, with the first name "Bernard" and last name "Codd" being the most prominent parts.

Bernard P. Codd
Registration No. 46,429

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Date: September 1, 2004